

AMENDED IN ASSEMBLY MARCH 9, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1639**

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**Introduced by Assembly Member Maienschein**  
***(Coauthors: Assembly Members Bonilla and Dodd)***

January 7, 2016

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An act to add Article 14 (commencing with Section 33480) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to pupil safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1639, as amended, Maienschein. Pupil health: Sudden Cardiac Arrest Prevention Act.

Existing law requires a school district, charter school, or private school that elects to offer an athletic program to comply with certain requirements relating to pupil safety, including, among other things, removing an athlete who is suspected of sustaining a concussion or head injury from an athletic activity.

This bill would create the Sudden Cardiac Arrest Prevention Act and would require the State Department of Education to develop guidelines *and* an information sheet on sudden cardiac arrest symptoms and warning signs, and other relevant materials relating to sudden cardiac arrest, and to post the information on the department's Internet Web site. The bill would require a pupil in any public school, including a charter school, or private school that elects to conduct athletic activities *activities, and the pupil's parent or guardian*, to sign and return an acknowledgment of receipt of an information sheet on sudden cardiac arrest symptoms and warning signs each school year before ~~participating~~ *the pupil participates* in an athletic activity. The bill would require an

athletic director, coach, or athletic trainer to remove *from participation* a pupil who passes out or faints while participating *in* or immediately following an athletic activity, and would require a coach of an athletic activity to complete a sudden cardiac arrest training course ~~each~~ *every other* school year. The bill would impose penalties, on and after July 1, 2019, for a violation of the provision requiring removal of a pupil from an athletic activity and the provision requiring a coach to complete a sudden cardiac arrest training course, as specified. The bill would make the act's provisions operative on July 1, 2017.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 14 (commencing with Section 33480) is  
2 added to Chapter 3 of Part 20 of Division 2 of Title 2 of the  
3 Education Code, to read:

4  
5 Article 14. Sudden Cardiac Arrest Prevention Act

6  
7 33480. This act shall be known, and may be cited, as the  
8 Sudden Cardiac Arrest Prevention Act.

9 33481. For purposes of this article, the following definitions  
10 apply:

11 (a) "Athletic activity" includes all of the following:

12 (1) Interscholastic athletics.

13 (2) An athletic contest or competition, other than interscholastic  
14 athletics, that is sponsored by or associated with a school, including  
15 cheerleading, club-sponsored sports activities, and sports activities  
16 sponsored by school-affiliated organizations.

17 (3) Noncompetitive cheerleading that is sponsored by or  
18 associated with a school.

19 (4) Practices, interscholastic practices, and scrimmages for all  
20 of the activities listed under paragraphs (1) to ~~(3)~~, (3), inclusive.

21 (b) "School" means a public school, including a charter school,  
22 or private school that elects to conduct athletic activities.

23 33482. (a) The department shall ~~develop~~ *develop, using*  
24 *relevant materials and training videos used by the Eric Paredes*  
25 *Save A Life Foundation, the California Interscholastic Federation,*  
26 *and the National Federation of High School Associations, and*

1 *shall* post on its Internet Web site guidelines and an information  
2 sheet on sudden cardiac arrest symptoms and warning signs, and  
3 other relevant materials to inform and educate pupils, parents, and  
4 coaches about the nature and warning signs of sudden cardiac  
5 arrest, including the risks associated with continuing to play or  
6 practice after experiencing fainting or seizures during exercise,  
7 unexplained shortness of breath, chest pains, dizziness, racing  
8 heart rate, ~~and~~ or extreme fatigue.

9 (b) In developing the guidelines and materials, the department  
10 ~~may use, at no cost to the state, use~~ an educational video ~~created~~  
11 ~~by Simon's Fund, hosted on the National Federation of High~~  
12 ~~School Associations Internet Web site, or similar material of~~  
13 another provider approved by the department, ~~for the purpose of~~  
14 ~~educating as a training course to educate~~ coaches about sudden  
15 cardiac arrest.

16 (c) *School districts and schools are encouraged to post on their*  
17 *Internet Web sites the information and material required to be*  
18 *posted by the department pursuant to subdivision (a) to give pupils,*  
19 *parents, and coaches ready access to the information.*

20 33483. Each school year, before ~~participation~~ a pupil  
21 *participates* in an athletic activity, ~~a the pupil and the pupil's~~ pupil's  
22 parent or guardian shall sign and return to the ~~pupil's~~ pupil's school  
23 an acknowledgment of receipt and review of the information sheet  
24 developed by the department pursuant to subdivision (a) of Section  
25 33482.

26 33484. A school may hold an informational meeting before  
27 the start of each athletic season for all ages of competitors regarding  
28 the symptoms and warning signs of sudden cardiac arrest. In  
29 addition to pupils, parents, coaches, and other school officials,  
30 informational meetings may include physicians, pediatric  
31 cardiologists, and athletic trainers.

32 33485. (a) A pupil who passes out or faints while participating  
33 in or immediately following an athletic activity, or who is known  
34 to have passed out or fainted while participating in or immediately  
35 following an athletic activity, shall be removed from participation  
36 at that time by the athletic director, coach, or athletic trainer.

37 (b) A pupil who exhibits any of the other symptoms of sudden  
38 cardiac arrest, as set forth in subdivision (a) of Section 33482,  
39 during an athletic activity, may be removed from participation by  
40 an athletic trainer, if the athletic trainer reasonably believes that

1 the symptoms are cardiac related. In the absence of an athletic  
2 trainer, any coach who observes any of the symptoms of sudden  
3 cardiac arrest shall notify the parent or guardian of the pupil so  
4 that the parent or guardian can determine what treatment, if any,  
5 the pupil should seek.

6 (c) A pupil who is removed from play under this section shall  
7 not be permitted to return to participate in an athletic activity until  
8 the pupil is evaluated and cleared to return to participate in writing  
9 by an appropriate medical professional.

10 33486. (a) ~~Every school year, a~~ A coach of an athletic activity  
11 shall complete the sudden cardiac arrest training course ~~provided~~  
12 ~~by Simon's Fund or another provider approved by the department.~~  
13 *specified in subdivision (b) of Section 33482 and shall retake the*  
14 *training course every two years thereafter.*

15 (b) A coach of an athletic activity shall not be eligible to coach  
16 ~~the an~~ athletic activity until the coach completes the training course  
17 required under subdivision (a).

18 33487. (a) On and after July 1, 2019, a coach who violates  
19 subdivision (a) of Section 33485 or Section 33486 shall be subject  
20 to the following penalties:

21 (1) For a first violation, suspension from coaching any athletic  
22 activity for the remainder of the season.

23 (2) For a second violation, suspension from coaching any athletic  
24 activity for the remainder of the season and for the next season.

25 (3) For a third violation, permanent suspension from coaching  
26 any athletic activity.

27 (b) A coach shall not be exposed to civil liability for his or her  
28 action or inaction under this article unless the coach is found to  
29 have acted in a grossly negligent or reckless manner.

30 33488. The sponsors of youth athletic activities are encouraged  
31 to follow the guidelines specified in this article.

32 33489. This article is operative on July 1, 2017.